

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:18-cv-01116-RC**

ENVIRONMENTAL DEFENSE FUND v. DEPARTMENT OF  
THE INTERIOR et al

Assigned to: Judge Rudolph Contreras  
Cause: 05:552 Freedom of Information Act

Date Filed: 05/10/2018

Jury Demand: None

Nature of Suit: 895 Freedom of  
Information Act

Jurisdiction: U.S. Government Defendant

**Plaintiff**

**ENVIRONMENTAL DEFENSE FUND**

represented by **Aladdine Dory Joroff**  
HARVARD LAW SCHOOL  
Emmett Environmental Law & Policy  
Clinic  
6 Everett Street – Suite 4119  
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*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Benjamin Michael Levitan**  
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V.

**Defendant**

**DEPARTMENT OF THE INTERIOR**

represented by **April Denise Seabrook**  
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**Daniel Patrick Schaefer**  
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*TERMINATED: 11/09/2018*  
*LEAD ATTORNEY*  
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**Defendant**

**BUREAU OF LAND MANAGEMENT**

represented by **April Denise Seabrook**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Daniel Patrick Schaefer**  
(See above for address)  
*TERMINATED: 03/18/2019*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Jeremy S. Simon**  
(See above for address)  
*TERMINATED: 11/09/2018*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**OFFICE OF THE SECRETARY,  
UNITED STATES DEPARTMENT OF  
THE INTERIOR**

represented by **April Denise Seabrook**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Daniel Patrick Schaefer**  
(See above for address)  
*TERMINATED: 03/18/2019*  
*LEAD ATTORNEY*  
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**Jeremy S. Simon**  
(See above for address)  
*TERMINATED: 11/09/2018*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Defendant**

**OFFICE OF THE SOLICITOR,  
DEPARTMENT OF THE INTERIOR**

represented by **April Denise Seabrook**  
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**Daniel Patrick Schaefer**  
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*TERMINATED: 03/18/2019*  
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**Jeremy S. Simon**  
(See above for address)  
*TERMINATED: 11/09/2018*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
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05/10/2018	<u>1</u>	COMPLAINT against ALL DEFENDANTS ( Filing fee \$ 400 receipt number 0090-5474808) filed by ENVIRONMENTAL DEFENSE FUND. (Attachments: # <u>1</u> Exhibit Attachments to Complaint, # <u>2</u> Civil Cover Sheet, # <u>3</u> Summons For Department of Justice, # <u>4</u> Summons For U.S. Attorney, # <u>5</u> Summons For Department of the Interior)(Levitan, Benjamin) (Entered: 05/10/2018)
05/10/2018	<u>2</u>	Corporate Disclosure Statement by ENVIRONMENTAL DEFENSE FUND. (Levitan, Benjamin) (Entered: 05/10/2018)
05/10/2018	<u>3</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Aladdine Joroff, :Firm- Emmett Environmental Law & Policy Clinic, Harvard Law School, :Address- 6 Everett St., Ste. 4119, Cambridge, MA 02138. Phone No. - 617-495-5014. Fax No. - 617-384-7633 Filing fee \$ 100, receipt number 0090-5475071. Fee Status: Fee Paid. by ENVIRONMENTAL DEFENSE FUND (Levitan, Benjamin) (Entered: 05/10/2018)
05/10/2018		Case Assigned to Judge Rudolph Contreras. (zmd) (Entered: 05/11/2018)
05/14/2018	<u>4</u>	SUMMONS (3) Issued Electronically as to DEPARTMENT OF THE INTERIOR, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent) (zmd) (Entered: 05/14/2018)
06/15/2018		ORDER granting <u>3</u> Motion for Leave to Appear Pro Hac Vice: Pursuant to Local Civil Rule 83.2(d), it is hereby ORDERED that Aladdine Joroff is admitted to represent Plaintiff pro hac vice in this case. SO ORDERED. Signed by Judge Rudolph Contreras on June 15, 2018. (lcrc3) (Entered: 06/15/2018)
08/01/2018	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 7/2/2018. Answer due for ALL FEDERAL DEFENDANTS by 8/1/2018. (Attachments: # <u>1</u> Exhibit)(Levitan, Benjamin) (Entered: 08/01/2018)
08/01/2018	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 7/2/2018. (Attachments: # <u>1</u> Exhibit)(Levitan, Benjamin) (Entered: 08/01/2018)
08/01/2018	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF THE INTERIOR served on 6/29/2018 (Attachments: # <u>1</u> Exhibit)(Levitan, Benjamin) (Entered: 08/01/2018)
08/01/2018	<u>8</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY, UNITED STATES DEPARTMENT OF THE INTERIOR, OFFICE OF THE SOLICITOR, DEPARTMENT OF THE INTERIOR (Seabrook, April) (Entered: 08/01/2018)
08/01/2018		MINUTE ORDER granting <u>8</u> Defendants' Consent Motion for Extension of Time: It is hereby ORDERED that Defendants shall have until and including August 6, 2018 to respond to the complaint. SO ORDERED. Signed by Judge Rudolph Contreras on August 1, 2018. (lcrc3) (Entered: 08/01/2018)
08/06/2018	<u>9</u>	ANSWER to Complaint <i>and Affirmative Defenses</i> by BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY, UNITED STATES DEPARTMENT OF THE INTERIOR, OFFICE OF THE SOLICITOR, DEPARTMENT OF THE INTERIOR.(Seabrook, April) (Entered: 08/06/2018)
08/06/2018		MINUTE ORDER: It is hereby ORDERED that the parties shall meet and confer and submit a proposed briefing schedule on or before August 20, 2018. SO ORDERED. Signed by Judge Rudolph Contreras on August 6, 2018. (lcrc3) (Entered: 08/06/2018)
08/07/2018		Set/Reset Deadlines: Proposed Briefing Schedule due by 8/20/2018 (hs) (Entered: 08/07/2018)
08/17/2018	<u>10</u>	Joint STATUS REPORT by BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY, UNITED STATES DEPARTMENT OF THE INTERIOR, OFFICE OF THE SOLICITOR, DEPARTMENT OF THE INTERIOR. (Simon, Jeremy) (Entered: 08/17/2018)

08/17/2018	<u>11</u>	NOTICE of Appearance by Jeremy S. Simon on behalf of BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY, UNITED STATES DEPARTMENT OF THE INTERIOR, OFFICE OF THE SOLICITOR, DEPARTMENT OF THE INTERIOR (Simon, Jeremy) (Entered: 08/17/2018)
08/17/2018		MINUTE ORDER: Upon consideration of <u>10</u> the parties' Joint Status Report, it is hereby ORDERED that the parties shall submit another joint status report on or before September 14, 2018. SO ORDERED. Signed by Judge Rudolph Contreras on August 17, 2018. (lcrc3) (Entered: 08/17/2018)
08/21/2018		Set/Reset Deadlines: Status Report due by 9/14/2018 (tj) (Entered: 08/21/2018)
09/14/2018	<u>12</u>	Joint STATUS REPORT by ENVIRONMENTAL DEFENSE FUND. (Attachments: # <u>1</u> Text of Proposed Order)(Levitan, Benjamin) (Entered: 09/14/2018)
09/14/2018		MINUTE ORDER: Upon consideration of <u>12</u> the parties' Joint Status Report, it is hereby ORDERED that the parties shall submit another joint status report on or before October 23, 2018. SO ORDERED. Signed by Judge Rudolph Contreras on September 14, 2018. (lcrc3) (Entered: 09/14/2018)
09/25/2018		Set/Reset Deadlines: Status Report due by 10/23/2018 (tj) (Entered: 09/25/2018)
10/23/2018	<u>13</u>	Joint STATUS REPORT <i>and Proposed Schedule</i> by BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY, UNITED STATES DEPARTMENT OF THE INTERIOR, OFFICE OF THE SOLICITOR, DEPARTMENT OF THE INTERIOR. (Attachments: # <u>1</u> Text of Proposed Order)(Seabrook, April) (Entered: 10/23/2018)
10/23/2018		MINUTE ORDER: Upon consideration of <u>13</u> the parties' Joint Status Report, it is hereby ORDERED that the parties shall submit another joint status report on or before November 28, 2018. SO ORDERED. Signed by Judge Rudolph Contreras on October 23, 2018. (lcrc3) (Entered: 10/23/2018)
11/09/2018	<u>14</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY, UNITED STATES DEPARTMENT OF THE INTERIOR, OFFICE OF THE SOLICITOR, DEPARTMENT OF THE INTERIOR. Attorney Jeremy S. Simon terminated. (Simon, Jeremy) (Entered: 11/09/2018)
11/28/2018	<u>15</u>	Joint STATUS REPORT by ENVIRONMENTAL DEFENSE FUND. (Attachments: # <u>1</u> Text of Proposed Order)(Levitan, Benjamin) (Entered: 11/28/2018)
11/28/2018		MINUTE ORDER: Upon consideration of <u>15</u> the parties' Joint Status Report, it is hereby ORDERED that the parties shall submit another joint status report on or before January 18, 2019. SO ORDERED. Signed by Judge Rudolph Contreras on November 28, 2018. (lcrc3) (Entered: 11/28/2018)
11/30/2018		Set/Reset Deadlines: Status Report due by 1/18/2019 (tj) (Entered: 11/30/2018)
01/18/2019	<u>16</u>	Unopposed MOTION to Stay , Unopposed MOTION for Extension of Time to <i>All Deadlines</i> by BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY, UNITED STATES DEPARTMENT OF THE INTERIOR, OFFICE OF THE SOLICITOR, DEPARTMENT OF THE INTERIOR (Attachments: # <u>1</u> Text of Proposed Order)(Pfaffenroth, Peter) (Entered: 01/18/2019)
01/24/2019		MINUTE ORDER granting <u>16</u> Defendants' Unopposed Motion to Stay. It is hereby ORDERED that this action is stayed until appropriations are restored to the Department of Justice. It is FURTHER ORDERED that the joint status report previously due on January 18, 2019 shall be filed within 14 days of Congress restoring appropriations. SO ORDERED. Signed by Judge Rudolph Contreras on January 24, 2019. (lcrc3) (Entered: 01/24/2019)
02/06/2019	<u>17</u>	NOTICE of Appearance by Daniel Patrick Schaefer on behalf of All Defendants (Schaefer, Daniel) (Entered: 02/06/2019)
02/07/2019	<u>18</u>	Joint STATUS REPORT by ENVIRONMENTAL DEFENSE FUND. (Attachments: # <u>1</u> Text of Proposed Order)(Levitan, Benjamin) (Entered: 02/07/2019)

02/08/2019		MINUTE ORDER: Upon consideration of <u>18</u> the parties' Joint Status Report, it is hereby ORDERED that the parties shall file another joint status report on or before March 25, 2019. SO ORDERED. Signed by Judge Rudolph Contreras on February 8, 2019. (lcrc3) (Entered: 02/08/2019)
02/08/2019		Set/Reset Deadlines: Status Report due by 3/25/2019 (tj) (Entered: 02/08/2019)
03/18/2019	<u>19</u>	NOTICE OF WITHDRAWAL OF APPEARANCE as to BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY, UNITED STATES DEPARTMENT OF THE INTERIOR, OFFICE OF THE SOLICITOR, DEPARTMENT OF THE INTERIOR. Attorney Daniel Patrick Schaefer terminated. (Schaefer, Daniel) (Entered: 03/18/2019)
03/25/2019	<u>20</u>	Joint STATUS REPORT by ENVIRONMENTAL DEFENSE FUND. (Attachments: # <u>1</u> Text of Proposed Order)(Levitan, Benjamin) (Entered: 03/25/2019)
03/25/2019		MINUTE ORDER: Upon consideration of <u>20</u> the parties' Joint Status Report, it is hereby ORDERED that the parties shall file another joint status report on or before May 29, 2019. SO ORDERED. Signed by Judge Rudolph Contreras on March 25, 2019. (lcrc3) (Entered: 03/25/2019)
04/09/2019		Set/Reset Deadlines: Status Report due by 5/29/2019 (tj) (Entered: 04/09/2019)
05/29/2019	<u>21</u>	Joint STATUS REPORT by ENVIRONMENTAL DEFENSE FUND. (Attachments: # <u>1</u> Text of Proposed Order)(Levitan, Benjamin) (Entered: 05/29/2019)
05/29/2019		MINUTE ORDER: Upon consideration of <u>21</u> the parties' joint status report, it is hereby ORDERED that the parties shall submit a further joint status report including a proposed schedule for any issues that may remain in the litigation at that point, as appropriate, on or before July 31, 2019. SO ORDERED. Signed by Judge Rudolph Contreras on May 29, 2019. (lcrc3) (Entered: 05/29/2019)
05/30/2019		Set/Reset Deadlines: Joint Status Report due by 7/31/2019 (hs) (Entered: 05/30/2019)
07/31/2019	<u>22</u>	Joint STATUS REPORT by ENVIRONMENTAL DEFENSE FUND. (Attachments: # <u>1</u> Text of Proposed Order)(Levitan, Benjamin) (Entered: 07/31/2019)
07/31/2019		MINUTE ORDER: Upon consideration of <u>22</u> the parties' Joint Status Report, it is hereby ORDERED that the parties shall provide a further status report, including a proposed schedule for any issues that may remain in the litigation at that point, by October 1, 2019. SO ORDERED. Signed by Judge Rudolph Contreras on July 31, 2019. (lcrc3) (Entered: 07/31/2019)
08/01/2019		Set/Reset Deadlines: Status Report due by 10/1/2019 (tj) (Entered: 08/01/2019)
10/01/2019	<u>23</u>	Joint STATUS REPORT by BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR, OFFICE OF THE SECRETARY, UNITED STATES DEPARTMENT OF THE INTERIOR, OFFICE OF THE SOLICITOR, DEPARTMENT OF THE INTERIOR. (Attachments: # <u>1</u> Text of Proposed Order)(Seabrook, April) (Entered: 10/01/2019)
10/02/2019		MINUTE ORDER: Upon consideration of <u>23</u> the parties' Joint Status Report, it is hereby ORDERED that the parties shall provide a further status report including a proposed schedule for any issues that may remain in the litigation at that point, as appropriate, on or before December 6, 2019. SO ORDERED. Signed by Judge Rudolph Contreras on October 2, 2019. (lcrc3) (Entered: 10/02/2019)
10/02/2019		Set/Reset Deadlines: Status Report due by 12/6/2019 (tj) (Entered: 10/02/2019)
12/04/2019	<u>24</u>	Joint STATUS REPORT by ENVIRONMENTAL DEFENSE FUND. (Attachments: # <u>1</u> Text of Proposed Order)(Levitan, Benjamin) (Entered: 12/04/2019)
12/04/2019		MINUTE ORDER: Upon consideration of <u>24</u> the parties' joint status report, it is hereby ORDERED that the parties shall jointly submit a further status report, including a proposed schedule for any issues that may remain in the litigation at that point, as appropriate, by March 31, 2020. SO ORDERED. Signed by Judge Rudolph Contreras on December 4, 2019. (lcrc3) (Entered: 12/04/2019)